

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

PLANNING BOARD
June 16, 2009
Minutes Approved 7/21/09

Members present:

Alison Douglas, Chairman
Edward Almeida, Vice Chairman
Leon Barry
Jason Brennen (arrived at 7:35 p.m.)
Steve Perry, Selectmen's representative

Members not present:

Marc Ducharme
Carlos Fuertes

Also present:

Joan McKibben, Administrative Assistant
Steve Wagner, Nashua Regional Planning Commission, Circuit Rider

AGENDA

- 1. Fire Chief Thomas Schofield to speak regarding different situations fighting fires in subdivisions and back lots**
- 2. Work Session – Draft Vehicular Circulation Standards**
- 3. Work Session – Draft Driveway Standards**
- 4. Rolling Acres IV Action Item – request update from applicant re: conditions of approval**
- 5. Canberra Road Bond release – repair to catch basin on 6/6/09**

Any Other Business

- Planning Board to sign zoning certification**
- Correspondence review**
- Approval of 5/5/09 and 6/2/09 minutes**

Chairman Douglas called the meeting to order at 7:10 p.m.

1. Fire Chief Thomas Schofield

Chief Schofield came before the Board to speak about fighting fires in back lots in light

Litchfield Planning Board

June 16, 2009

1
2 of the fire on Westview Drive. He said in total the Town is in good shape and in a
3 nutshell on Westview Drive there could have been some things done differently; it comes
4 down to communications. He went on to explain regarding the fire on Westview Drive
5 when he became Chief he was new and had no communications with the Planning Board
6 so ended up with a narrow driveway. The house was supposed to have a monitoring
7 system. He feels that it all comes down to communications with the fire department and
8 planning board prior to approvals, etc. There is a need to talk about how to protect the
9 back lots. He said that he also needs to understand how the Zoning Board works, the
10 Conservation Commission works. He mentioned the site walk he attended on Cutler Road
11 for a Zoning Board case at which he did not know the process as to what to say or what
12 not to say, so not to taint the case.

13
14 Chief Schofield said that he is more concerned with emergencies and he needs access to
15 these residences; Westview Drive is not the normal rule. "Sometimes we do not know
16 what is out there until a tragedy happens. I am not sure how to say to do things better.
17 Work force housing is going to add a whole new dimension the way we do business if
18 you are going to allow houses closer to the road, radiant heat, propane or oil. If it is going
19 to be propane, I suggest putting in a tank farm so there is only one location to deal with it.
20 If we are going to do work force housing, then we have to work together". Talk ensued as
21 to propane tanks. Chief Schofield is concerned with back lots and what he is driving on
22 especially if it is wetlands because of the 50,000 lbs truck getting stuck, not being able to
23 turn, will the insurance cover; so, it is a big deal during the wet season.

24
25 He suggested putting notes on the plan about driveways making homeowner's
26 responsible for them. He was told that the Board is presently working on a driveway
27 regulation. He said that turning radiuses is a big problem with the fire trucks. He
28 suggested developing forms for new applications and that everyone sign off. He
29 questioned if the new owner of Annandale knows how the transition works and how
30 limited protection Litchfield has. Mrs. McKibben went on to talk about construction
31 meetings where basically all parties need to sit down and discuss things together. There
32 will be a preconstruction meeting with Annandale owners. At present the Board does
33 have a routing sheet where the road agent, building inspector, etc. sign off that they have
34 reviewed and commented on the proposal before Planning Board approval.

35
36 Chief Schofield recommended wider driveways and maybe a stipulation as to strength,
37 stability, turnarounds, etc. The Board will have to do some research and come up with
38 adequate driveway standards.

39
40 Mr. Wagner said that there will be a need to talk with Chief Schofield another time about
41 the regulation because of the State Fire Code now being residential and commercial.
42 Chief Schofield replied that is correct. Mr. Wagner: If that is the case, what can we, or
43 can't we put into the regulations now? Do we need to because it is already covered how
44 we handle if we sprinkle houses, inspection mechanism, what standards do we go by

Litchfield Planning Board

June 16, 2009

now, 500 feet from a hydrant, you talked about propane tank farms. Chief Schofield said he does

not have a lot of the answers tonight. His suggestion about tank farms may not be feasible; it is something to look into.

2. Work Session - Vehicular Circulation Standards

Copies of the revised Vehicular Circulation Standards were provided to the members. Mr. Wagner went over the changes made since the last meeting.

3. Work Session - Driveway Standards

Mr. Wagner said that after reviewing other regulations from other towns came up with a driveway regulation having enough information that the Town could enforce. Section 1.6 Design Standards states that the standards apply to residential driveways, which will be an appendix to the regulations. Mr. Brennen felt it should be part of a building department regulation because say they do not have to come before the Planning Board such as those on Page Road. Mr. Wagner said that if it is a lot of record, it would have to go to the Road Agent and that is how most towns address it. Any existing lot of record needing a new driveway, or alter a driveway, will need a driveway permit and the main reason is to protect the Town's right-of-way so that the driveway is constructed in a way that does not interfere with the road, drainage, traffic safety, etc.

Section 1.5.1 - Change so that the administrator is the Building Inspector in consultation with Road Agent.

Talk went on as to whether the regulation entails all driveways. Mr. Wagner said the concern with existing driveways is the apron.

Mrs. McKibben will provide a copy of the proposed regulation to Kevin Lynch and John Pinciario after the changes are made and ask for their input by the next meeting.

As to repaving of driveways, the regulation does say alterations now require a permit.

Mr. Perry: What you are saying is they would have to comply with the new standards. If they had to pull a permit to repair their driveway, a lot of driveways in Town do not have 400 foot site distance, or 200 feet from a corner.

Mr. Wagner: In that case, it would be a pre-existing nonconforming driveway.

Mr. Wagner said he could put a statement for repaving a driveway to please contact the building department to make sure the drainage is away from the road. Talk went on as to existing driveways that are nonconforming. It was said that the purpose for the proposed regulation is for better fire response, drainage, culverts under driveways, etc. Mr. Wagner

1
2 said he will try to come up with something on minimum radius on private driveways to
3 allow emergency vehicles.
4

5 A public hearing will be held on July 21, 2009, at 7:00 p.m. Mr. Perry **MOTIONED** to
6 bring the Vehicular Circulation Standards to public hearing. Mr. Barry seconded. Motion
7 carried 5-0-0. The driveway regulation will also be discussed at the July 21st meeting.
8

9 **4. Rolling Acres IV Action Item**

10
11 This was mistakenly put on the agenda.
12

13 **5. Canberra Road Bond Release**

14
15 The Board is in receipt of a letter from Kevin Slattery dated June 4, 2009, regarding the
16 paving patch at Canberra Village. The Road Agent has inspected the work and approved
17 it. Mr. Barry read the bond release requesting \$13,250 to be released for Canberra
18 Village in connection with Dixon Drive.
19

20 Mr. Barry **MOTIONED** to release \$13,250 to Etchstone Property. Mr. Almeida
21 seconded. All were in favor. Motion carried 5-0-0. Bond #520533054
22

23 **ANY OTHER BUSINESS**

24
25 **Zoning Certification** - The Selectmen approved the FEMA maps as reflected in their
26 minutes thus authorizing the changes and zoning ordinance to be amended. The
27 resolution to be sent to the State and then the Town will be in compliance with FEMA.
28 The new language will show up in the flood plain section of the ordinance. The flood
29 plain maps are effective September 29, 2009.
30

31 **Home Occupation** – The Board is in receipt of Sally Bouchard's home occupation
32 renewal at 446 Charles Bancroft Highway. It was noted the application was filled out
33 incorrectly. Mr. Perry **MOTIONED** to deny. Mr. Barry seconded. Mrs. Douglas asked
34 on what grounds. Mr. Perry: Incomplete application. Talk ensued. **Mr. Perry retracted**
35 **his motion**. Mr. Barry retracted his second. Mr. Perry: What we normally do is send it
36 back stating the application is incomplete because you can't have zero employees and
37 you can't list storage as miscellaneous. You have 30 days to respond to this or your
38 application will be denied and you will have to reapply and start all over again.
39

40 Mrs. McKibben will notify Mrs. Bouchard. The application is already overdue.
41

42 **Heritage/Blossom** - Chairman Douglas talked about a letter from Attorney Cronin of
43 Butler Bank. She has spoken to Steve Buckley, Town Counsel, as to responding to the
44 letter. Attorney Cronin in his letter is claiming in the second paragraph that, "it was clear
45 that the Planning Board had prejudged this issue prior to opening up the hearing for input

1
2 from the applicant or the public. Mr. Almeida made a motion which I believe was
3 seconded to deny the issuance of the occupancy permits based on the recommendation of
4 the building official Kevin Lynch". Chairman Douglas said that paragraph is not

5
6 true and that Attorney Buckley suggested not to respond. Mrs. Douglas: Our minutes
7 clearly say that there was no second to the motion and that this was not prejudged and we
8 have our minutes to fall back on.

9
10 Also, the Board is looking for the tape of the May 5, 2009, minutes and this is being
11 checked.

12
13 **Computer** - Mrs. McKibben talked about having difficulty with storing files in the
14 computer. Mr. Perry suggested putting in for an external hard drive in the 2010 budget.

15
16 **State Budget** - Mrs. Douglas mentioned a note from Andy Prolman alerting the
17 Selectmen that in the State budget, the Attorney General took out money from the budget
18 that monitors condo projects and subdivisions by the AG's office. The Attorney General
19 monitors financing on projects, certified plans go to the AG's office, etc. and now these
20 items will no longer go through the Attorney General's office and thus this could be a
21 huge problem.

22
23 **Blossom Court** - Mrs. McKibben said that Dan Dionne did work for Blossom Court and
24 the question is should he get paid from the bond. The Town has not received the bond for
25 \$49,000. The insurance company is going after Dan Dionne because his name is on the
26 bond. Mr. Dionne's attorney did speak with Attorney Buckley.

27
28 Mrs. McKibben said it is not just the road completion but in talking with the President of
29 the Association there are a lot of things not covered in the bond such as lighting, etc. The
30 latest is Butler Bank pulled out here at a meeting and there were discrepancies with
31 Blossom Court. They were \$18,000 of agreeing on what work to be done but Butler
32 would not go with the extra \$18,000. They said they will take their chances in court.

33
34 **Snowdrop/Lilac** - A letter is being sent stating that there will be no building permits
35 until a bond is posted. Mrs. McKibben has been trying to get AMP to post a two-year
36 maintenance bond.

37
38 **Annandale** - Mrs. McKibben informed the Board that Manny Sousa (K & M
39 Development) bought the whole development and posted a bond and escrow money. The
40 Northbridge bond has not been released because Mrs. McKibben is waiting to hear back
41 from Sovereign Bank.

42
43 **Transportation Enhancement Grants** - Mrs. McKibben said that Frank Byron had
44 mentioned that there is possibly money available for railway trails and maybe the Board
45 should take a look into the abandon railway in Town.

Litchfield Planning Board

June 16, 2009

Minutes - The minutes of May 5, 2009, were reviewed. Mr. Barry **MOTIONED** to accept the minutes of May 5, 2009 with corrections. Mr. Almeida seconded. Motion carried 4-0-1.

Economic Development Subcommittee - Mr. Edward Almeida, Chairman Economic Development Subcommittee, came forward to say the Committee held a meeting last Thursday. They have almost wrapped up Phase I. The survey results are available on the website. The website is pretty much completed and their minutes will be posted.

Mr. Almeida further stated that the Board of Selectmen approved a collaborative grant to work on the Pettengill Road project. It was asked how the project is progressing. Mr. Wagner reported that NRPC met with fire chiefs and Karen Diers (NRPC). They are now waiting for a detailed scope of work, a budget, and he believes they have a traffic consultant to do the study. They are waiting for the application to be acted upon and approved. The grant is to work with Southern N.H. Planning Commission and Londonderry on the Pettengill Road project in Londonderry. The proposal is on the website for viewing.

Talk continued. The project will impact surrounding towns and bring in 4,000 to 6,000 new jobs and potentially could bring sewage into Litchfield at the north end of Town.

Mr. Almeida there is another grant Phase II of the CTAP project that can be used for open space ordinance. Mr. Ducharme is working on that. Mr. Wagner will get the details if the Board is interested. Members were in agreement of pursuing conservation subdivisions.

There being no further business, Mrs. Douglas **MOTIONED** to adjourn the meeting. Mr. Barry seconded. All were in favor. Motion carried 6-0-0. The meeting adjourned at 9:55 p.m.

Lorraine Dogopoulos
Recording Secretary
(transcribed from tapes)

DATE _____

Alison Douglas _____
Edward Almeida _____
Leon Barry _____
Jayson Brennen _____
Steve Perry _____

